REMARKS

The present application has been carefully studied and amended in view of the outstanding Office Action dated November 17, 2005, and reconsideration of that Action is requested in view of the following comments.

Reconsideration is respectfully requested of the objection to claims 1 and 14 with regard to the recitation of "fine structure". Page 9, lines 21-22 of the present specification defines what is meant by the term "fine structures", while lines 26-29 further amplify on that term. In accordance with MPEP 2173.05(a) the "applicant is free to be his or her own lexicographer" (MPEP 2173.05(a)III) and "When the specification states the meaning that a term in the claim is intended to have, the claim is examined using that meaning..." (MPEP 2173.05(a)I) Accordingly, since the specification sets forth what is meant by "fine structure" the objection to that term should be withdrawn. It is noted, however, that dependent claims 18 and 19 have been added which further define that term based upon the description thereof in the specification.

Reconsideration is respectfully requested of the rejection of claims 1-17 as anticipated by Haghiri-Tehrani ('216 patent). In paragraph 4 of the Office Action Examiner Paik states that "a recess (cavity 14) of the core (11) and/or a seal exhibit fine structures (Figs. 1-3)". Such figures, however, show a perfect circular recess in the core (11), that is filled with the carrier (6). This is not a showing of "fine structures." Moreover, in Figs. 3a and 3b the carrier is smaller than the recess, so that a gap (14) and (17) respectfully results. This gap (buffer zone) is meant to reduce the stress to the chip during the lamination process. See, for example, col. 3, lines 61-63 of the '216 patent.

This embodiment of the '216 patent corresponds to what is actually described at page 9, lines 12-14 of the specification which states "The punched out portions for the chip, which are conventionally adapted to the shape of the support element, i.e. are round or rectangular, do not ensure optimum protection from unauthorised peeling of the film." The specification then points out that "In contrast, in the case of punched out portions with fine structures, such peeling is immediately obvious as the structures are inevitably torn out." (Page 9, lines 14-16) This distinction by including fine structures enables the claimed card to be an effective identity card. Accordingly, the '216 patent lacks the fine structures defined in parent claim 1 and the '216 patent is thus completely different from the card defined in parent claim 1 which exhibits fine structures in the recess and/or the seal. See also the description in the present specification at page 9, line 22 to page 10, line 6 and at page 8, line 26 to page 9, line 10, as well as page 9, lines 14 and 20 of the present specification and Figures 1 and 3 of this application. The claimed fine structures of the present invention result in an outstanding anti-counterfeiting security that can not be achieved with the cards of the prior art. Since such fine structures of the present invention are neither disclosed nor suggested by the '216 patent, parent claim 1 and its dependent claims should be patentable. Similarly, because claim 17 is the method counterpart of claim 1, claim 17 should also be patentable in that it claims a process to produce such a card comprising fine structures.

The following comments are directed to other statements made in paragraph number 4 on pages 2-4 of the Office Action.

On page 2, the Examiner states "...(Figs. 1-3). The at least one seal (laminating adhesive) consists of plastics (col. 3, ll 50-53) and extends at no point to the edge of the

card." This feature relates to claims 9 and 10 of the present invention. It appears, however, that the layers in Figs. 2a and 2b are incompletely drawn in the '216 patent. Accordingly, a person of ordinary skill in the art would not interpret the right side as the edge of the card. There is no hint or disclosure in the '216 patent to incompletely cover the card with a seal as presently claimed that can be combined with an extra plastics layer that covers the entire surface, such as defined in claims 15 and 16.

With respect to paragraphs 1-3 on page 3 of the Office Action relating to claims 4-8 there does not appear to be any teaching in the '216 patent concerning an image-receiving layer as disclosed, for example, on page 5, line 24 to page 6, line 2 of the present application. (Claims 4-6) The fields 9 and 10 of the '216 patent are, according to col. 3, lines 27-29, provided for "embossed data". This apparently means the mechanical production of a pattern within this field and neither anticipates nor suggests the image-receiving layer of the present invention. This holds all the more for the photographic layer according to claim 7 of the present application (discussed at page 6, lines 4-28 of the specification) and also to claim 8.

With regard to the comments in the Office Action on page 3 pertaining to claims 12 and 14, please see the above discussion regarding claims 1-17.

The comments in the Office Action on page 4 with regard to claim 16 are not understood as concerning the high-frequency welding of the prior art. In the discussion at col. 1, lines 18-26 of the '216 patent the process is described for the connection of the edges of the carrier with the card without disclosing a cover layer.

Since the '216 patent does not teach or suggest a card having the features of parent claim 1 and its dependent claims or a process for producing such a card as

defined in claim 17 the rejection of the claims over the '216 patent should be withdrawn and this application should be allowed.

Respectfully submitted,

By _____
Harold Pezzner
Registration No.: 22,112
CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, Delaware 19899
(302) 658-9141
(302) 658-5614 (Fax)
Attorney for Applicant

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